



ANNUAL REPORT  
OF  
THE LEGAL AID COMMISSION OF SRI LANKA



2012

Legal Aid Commission of Sri Lanka  
No 129, Hultsdorf Street,  
High Court Complex Premises  
Colombo 12  
Sri Lanka

General Tel           011-2433618  
Chairman Tele/Fax   011 2395894  
Director General Tele 011 6835329  
Fax                    011 6662009

[legalaiddcommission1978@gmail.com](mailto:legalaiddcommission1978@gmail.com)  
Website: [www.legalaiddcommission.com](http://www.legalaiddcommission.com)

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The Legal Aid Commission of Sri Lanka was established by Legal Aid Law No.27 of 1978 (hereinafter referred to as 'the Act'). Its main objective is to provide free legal assistance to communities to whom Justice is not meted out owing to financial difficulties and other influences. Such persons have been identified in the Act as 'deserving persons'.

Section 3 of the Act has clearly defined the objective of the LAC:

*3. The objects of the Commission shall be to operate throughout Sri Lanka an efficient Legal Aid Scheme to provide to deserving persons-*

*(a) legal advice;*

*(b) funds for the conduct of legal and other proceedings for and on behalf of such persons;*

*(c) the services of attorneys-at-law to represent them;*

*(d) such other assistance as may be necessary for the conduct of such proceedings.*

## **VISION: EQUAL ACCESS TO JUSTICE**

It is the Policy Statement of the LAC and flows from the objective of the LAC as set out in the Act: The Act refers to persons eligible for legal aid as deserving persons. This is a flexible term and does not restrict persons given legal assistance only to their income status. Such flexibility in the wording has made it possible for the application not only the 'means test' but also the 'justice test'. As well.

**To create a society where all deserving persons have equal access to Justice irrespective of their economic or social status, gender, caste, creed or nationality or of being otherwise abled.**

## MISSION

It is a two way process.

- To identify those members of our society who are marginalised and lacks the means to access the remedial measures available under the law due to social economic and or other factors.
- To grant legal assistance as prescribed in the Act under section 3 as **Objects of the Commission:**

*3. The objects of the Commission shall be to operate throughout Sri Lanka an efficient Legal Aid Scheme to provide to deserving persons-*

*(a) legal advice;*

*(b) funds for the conduct of legal and other proceedings for and on behalf of such persons;*

*(c) the services of attorneys-at-law to represent them;*

*(d) such other assistance as may be necessary for the conduct of such proceedings.*

## RESPONSIBILITIES

The Legal Aid Commission has undertaken many ambitious projects to achieve the above objectives. Some of these are

- The Establishment of Legal Aid centers in courts premises island-wide to give legal aid for deserving persons by representing them in courts of law and tribunals and render assistance in other related matters to the needy, the deserving and the downtrodden.
- Giving legal advice to the public who call over either at the Head Office or at the LAC Centers or at the Awareness Programmes conducted by the LAC or via Legal Aid Q & A Pages in newspapers and also via TV channels and through the LAC publications.
- Appearance in Supreme Court in cases of violations of rights – via the Human Rights Bureau of the Commission.

- Enhancing the activities of the Developmental Legal Aid Units – Units for Migrant Workers, the Elderly, Women & Children, Prison inmates etc.
- Conducting Legal Aid Clinics, Legal Awareness & Training Programmes for Public, Public Officials inclusive of Police officers, Prisoners, Lawyers, School Children, and the Disabled. Migrant Workers and the Elderly.

### **Center establishment**

By the end of the year 2011 there were 67 LAC centers island-wide.

Within the course of the year 2012 centers were established in Kadawatha, Polgahawela and Galgamuwa respectively. Additionally four more centers were established in Pugoda on 1<sup>st</sup> November 2012) , Kebithigollawa (23<sup>rd</sup> of November 2012), Homagama Center (3rd December.2012) , and Deiyandara Center (17<sup>th</sup> December2012), respectively. But the latter four centers commenced to operate properly only in 2013.,

Each of the LAC centers has a Legal Officer and a Management Assistant. In centers where the workload is heavy the more than one legal officer would function and also may have two management assistants. Additionally some centers have an office assistant as well. In centers in High Court jurisdictions the workload is more when compared to other centers with the center having to cater to the High Courts, Civil Appellate High Courts, District Courts and Magistrate's Courts. Certain centers like Chilaw has a large number of LT cases as well.

The following schedule indicates the center-establishment with the year of establishment. Indicating the progress over the years.

<b>1978 to 2005</b>	<b>2006</b>	<b>2007-2009</b>	<b>2010 to 2012</b>
1978 Colombo	2006 Akkaraipattu	2007 Attanagalla	2010 Kaduwela
1994 Anuradapura	2006 Awissawella	2007 Battaramulla	2010 Kilinochchi
1994 Galle	2006 Balapitiya	2007 Dambulla	2010 Mannar
1994 Kandy	2006 Bandarawela	2007 Horana	2010 Mullaitivu
1996 Kurunegala	2006 Batticaloa	2007 Marawila	2010 Mutur
2003 Ampara	2006 Gampaha	2007 Mathugama	2010 Tangalle
2003 Hambantota	2006 Jaffna	2007 Mawanella	2010 Valachchenai
2003 Kegalle	2006 Kalutara	2007 Morawaka	2011 Chavakachcheri
2003 Monaragala	2006 Kalmununai	2007 Warakapola	2011 Balangoda
2003 Nuwaraeliya	2006 Kuliypitiya	2008 Kanthale	2011 Kekirawa
2005 Chilaw	2006 Negombo	2008 Mt.Lavinia	2011 Potuvil
2005 Vavuniya	2006 Mahiyangana	2008 Nugegoda	2011 Pt. Pedro
	2006 Maho	2008Thambuttegama	2011 Wariyapola
	2006 Matale	2008 Thissamaharama	2012 Galgamuwa
	2006 Matara	2008 Welimada	2012 Kadawatha
	2006 Panadura	2009 Baddegama	2012 Polgahawela
	2006 Polonnaruwa	2009 Badulla	2012/13 Kebithigollawa
	2006 Ratnapur	2009 Embilipitiya	2012/13 Deiyandara
	2006 Trincomalee	2009 Hatton	2012/13 Homagama
		2009 Hingurakgoda	201a2/13 Pugoda
		2009 Nawalapitiya	
		2009 Walasmulla	
		2009 Wellawaya	

## CASE STATISTICS

No	Year /Center	Cases B/F	Cases Filed and closed	Cases pending as at 31.12.2012
		to 2012	During 2012	
		as at 1.1.2012		
1	2006 Akkaraipattu	574	102	<b>676</b>
2	2003 Ampara	353	52	<b>405</b>
3	1994 Anuradapura	1130	-17	<b>1113</b>
4	2007 Attanagalla	225	75	<b>300</b>
5	2006 Awissawella	498	126	<b>624</b>
6	2009 Baddegama	172	73	<b>245</b>
7	2009 Badulla	162	26	<b>188</b>
8	2006 Balapitiya	493	90	<b>583</b>
9	2006 Bandarawela	330	78	<b>408</b>
10	2006 Batticaloa	906	202	<b>1108</b>
11	2005 Chilaw	529	76	<b>605</b>
12	1978 Colombo	2045	632	<b>2677</b>
13	2007 Dambulla	269	68	<b>337</b>
14	2009 Embilipitiya	190	48	<b>238</b>
15	1994 Galle	288	71	<b>359</b>
16	2006 Gampaha	733	70	<b>803</b>
17	2003 Hambantota	330	107	<b>437</b>
18	2009 Hatton	175	26	<b>201</b>
19	2009 Hingurakgoda	161	59	<b>220</b>
20	2007 Horana	297	114	<b>411</b>
21	2006 Jaffna	308	148	<b>456</b>
22	2007 Battaramulla	284	31	<b>315</b>
23	2010 Kaduwela	200	138	<b>338</b>
24	1994 Kandy	1492	-357	<b>1135</b>
25	2008 Kanthale	150	31	<b>181</b>
26	2006 Kalmununai	364	83	<b>447</b>

No	Center/year	B/F from 2011	Filed/Closed	B?F to 2013
27	2006 Kalutara	454	105	<b>559</b>
28	2003 Kegalle	513	64	<b>577</b>
29	2010 Kilinochchi	190	-179	<b>11</b>
30	2006 Kuliyaipitiya	464	87	<b>551</b>
31	1996 Kurunegala	1069	179	<b>1248</b>
32	2006 Mahiyanganaya	484	-98	<b>386</b>
33	2006 Maho	156	18	<b>174</b>
34	2010 Mannar	140	-108	<b>32</b>
35	2007 Marawila	113	52	<b>165</b>
36	2006 Matale	513	212	<b>725</b>
37	2006 Matara	293	92	<b>385</b>
38	2007 Mathugama	350	56	<b>406</b>
39	2007 Mawanella	219	36	<b>255</b>
40	2003 Monaragala	566	66	<b>632</b>
41	2007 Morawaka	214	35	<b>249</b>
42	2008 Mt.Lavinia	218	126	<b>344</b>
43	2010 Mullaitivu	174	-44	<b>130</b>
44	2010 Mutur	54	1	<b>55</b>
45	2009 Nawalapitiya	152	61	<b>213</b>
46	2006 Negombo	118	23	<b>141</b>
47	2008 Nugegoda	286	65	<b>351</b>
48	2003 Nuwaraeliya	352	89	<b>441</b>
49	2006 Panadura	208	95	<b>303</b>
50	2006 Polonnaruwa	527	107	<b>634</b>
51	2006 Ratnapura	321	80	<b>401</b>
52	2010 Tangalle	77	84	<b>161</b>
53	2008 Thambuttegama	101	42	<b>143</b>
54	2008 Thissamaharama	223	88	<b>311</b>
55	2006 Trincomalee	192	20	<b>212</b>
56	2010 Valachchenai	144	72	<b>216</b>
57	2005 Vavuniya	300	60	<b>360</b>
58	2009 Walasmulla	108	61	<b>169</b>

59	2007 Warakapola	228	44	<b>272</b>
60	2008 Welimada	228	86	<b>314</b>
61	2009 Wellawaya	363	68	<b>431</b>
62	2011 Balangoda	31	44	<b>75</b>
63	2011 Chavakachcheri	6	19	<b>25</b>
64	2011 Kekirawa	45	59	<b>104</b>
65	2011 Pt. Pedro	3	79	<b>82</b>
66	2011 Potuvil	74	107	<b>181</b>
67	2011 Wariyapola	46	45	<b>91</b>
68	2012 Kadawatha	0	68	<b>68</b>
69	2012 Galgamuwa	0	18	<b>18</b>
70	2012 Polgahawela	0	40	<b>40</b>
71	2012/13 Kebithigollawa	0	0	<b>5</b>
72	2012/13 Deiyandara	0	0	<b>0</b>
73	2012/13 Homagama	0	0	<b>0</b>
74	2012/13 Pugoda	0	0	<b>2</b>
	<b>74 centers</b>	<b>22975</b>	<b>4476</b>	<b>27458</b>

The centers at Kebithigollawa, Deiyandara, Homagama and Pugoda were established towards the end of the year 2012. But these centers commenced to function properly in the year 2013.

#### **NOTE**

**Each year by end of August the LAC submits a progress report to the Ministry of Justice to be submitted to Parliament in time for the budget Debate which is normally scheduled for November each year. is given below highlighted**

**An extract of the report submitted to Parliament in November 2012**



**Extract from the report submitted by LAC to MOJ in August 2012 for the Budget Debate in November 2012:**

**Cases handled by the Legal Aid Commission.**

Description	No. of Cases
Brought forward from 2011	23,894
New cases added (2012 an to 2012 August)	6,300
No. of cases concluded (2012 Jan to 2012 August)	2,882
Carried forward to the September 2012	27,312
No of clients serviced by LAC in the January to August 2012 (Inclusive of consultations)	68,352

- **Prisoner's Rights**

The Kith and Kin of any prison inmate who needs legal aid could seek assistance from any of the Legal Aid Centers. Under this, legal aid was provided as follows:-

Colombo Prisons:

Subject	Total
Programmes	36
Cases filed(on completion of documentation)	210
Cases to be filed	81
Consultations	440

- **Migrant Worker's Desk**

One of the most important objective is to educate migrant workers about their legal rights and issues which they face in and out of Sri Lanka through the Sri Lanka Foreign Employment Bureau. The Legal Officers (LAC) participate in awareness programmes telecast by Shri TV , a local channel that telecasts overseas and therefore, popular amongst migrant labour force.

- **Human Rights Bureau**

The work of this unit emphasizes the Human Rights of the Public. Currently there are twelve fundamental rights pending in the Supreme Court. Most of the cases are against Police and Army Officers.

- **Elders Rights**

Recognizing that elders are one of the most vulnerable sectors in society, the Legal Aid Commission (LAC) implements several programs targeting elders. When a settlement cannot be reached in disputes involving elders, LAC refers these to the Elders Maintenance Board. In 2012, 10 LAC Centers inclusive of Colombo filed 21 cases in various Magistrate;s Courts to enforce orders made by the Elders Maintenance Board. Awareness Programme for Elders Law and Protection have been conducted in Kadawatha, Colombo and Horana.

- **Media Programmes**

Television channels have also given due publicity to LAC programmes with the aim of creating awareness amongst the Public.

- **Newspapers**

Print Media has played a pivotal role in taking legal knowledge to the People.

Name	Language	The day on which the legal aid page is published
Daily News	English	Every Friday
Lankadeepa	Sinhala	Every fortnight Tuesday
Rivira	Sinhala	Weekly
Thinakaran	Tamil	Weekly

- **Special Project**

Under this Programme awareness programmes about Witness Protection and Victims rights have been conducted for Police Officers in Kalutara, Nikaweratiya, Pahalagama, Bortalanda, Colombo and Kilinochchi.

- **Awareness and Outreach Programmes**

In 2012, the LAC was granted a special financial allocation to organize and present legal awareness programmes and clinics, and to open new centers in areas where there is a demand for legal aid.

The following programmes were held in five areas up to August 2012.

Programmes	Relevant Area	No. of programmes
Uthuru Rata Neethi Udanaya	Jaffna, Mullaitivu, Kilinochchi, Vavuniya and Mannar	10
Maya Rata Neethi Udanaya	Colombo, Mount Lavinia, Nugegoda, Kaduwela, Avissawella, Gampaha, Attanagalla, Negombo, Kalutara, Mathugama, Horana, Panandura, Kegalle, Mawanella, Ratnapura, Empilipitiya and Balangoda	17
Ruhunu Rata Neethi Udanaya	Hambantota, Tissamaharama, Tangalle, Walasmulla, Matara, Morawaka, Galle, Balapitiya, Bathegama, Monaragala, Wellawaya, Ampara and Akkarapattu	13
Raja Rata Neethi Udanaya	Thambuthegama, Kekirawa, Hingurangoda, Wariyapola, Kurunagala, Kuliypitiya, Maho, Warakapola, Halawatta and Marawela	10
Kandurata Neethi Udanaya	Nawalapitiya, Mahiyanganaya, Dambulla, Matale, Nuweraeliya, Hatton, Badulla, Bandarawela and Welimada	10

## FINANCE REPORT

Statement of Financial position	Notes	31st Dec 2012	31st Dec 2011	01st January 2011
		Rs	Rs	Rs
<b>ASSETS</b>				
<b>Non Current assets</b>				
<b>Fixed Assets</b>	1	18,674,705.39	16,338,580.48	15,569,089.76
<b>Current Assets</b>				
<b>Prepayments and Debtors</b>	9	660,558.53	149,220.79	3,209,553.22
<b>Festival Advances</b>				
<b>Petty Cash Imprest given to centers</b>				
<b>Balances Receivable -Programme</b>				
<b>Grants Receivable</b>				
<b>CIDA</b>		2,654.38	2,654.38	2,654.38
<b>Asia Foundation</b>		8,166.00	8,166.00	8,166.00
<b>Cash and Cash equivalent</b>	10	2,714,345.23	12,563,164.12	11,591,895.71
<b>Total Assets</b>		22,060,429.53	29,061,785.77	30,381,359.07

**REPRESENTED BY**

<b>Accumulated Fund</b>	<b>2</b>	<b>1,660,909.26</b>	<b>20,197,277.77</b>	<b>23,099,977.75</b>
<b>Deffered Expenditure</b>		<b>2,538,666.40</b>		
<b>Current Liabilities</b>				
<b>Accrued Expenses</b>	<b>4</b>	<b>6,657,454.37</b>	<b>1,565.50</b>	<b>62,311.32</b>
<b>Provision for Gratuity</b>	<b>5</b>	<b>11,203,399.50</b>	<b>8,862,942.50</b>	<b>7,219,070.00</b>
		<b>17,860,853.87</b>	<b>8,864,508.00</b>	<b>7,281,381.32</b>
<b>Total Equity and Liabilities</b>		<b>22,060,429.53</b>	<b>29,061,785.77</b>	<b>30,381,359.07</b>

**Cash Flow**

	2012	2011
Net Income over Expenditure	(18,536,368.51)	(2,902,699.98)
Adjusted for		
Depreciation	3,723,762.63	859,925.29
Less other Income	(634,666.60)	
Gratuity		
Cash flow from operating activities	(15,447,272.48)	(2,042,774.69)
Movement in Working Capital		
Increase/decrease in Current Assets	(511,337.74)	3,060,332.43
Increased Accrued Expenses	6,655,888.87	(60,745.82)
Gratuity	2,340,457.00	1,643,872.50
Increase/Decrease in Current Liabilites		
Net cash flow from Operating activies	(6,962,264.35)	2,600,684.42
Cash flow from Investing activities		
Purchase of Furniture	(919,942.30)	(643,492.50)
Purchase of Office equipment	(474,012.24)	(751,473.51)
Purchase of Computers	(1,492,600.00)	(234,450.00)
Increase/Decrease in cash and Cash Equivalentents	(9,848,818.89)	971,268.41
Cash and Cash equivalentents at the beginning	12,563,164.12	11,591,895.71
Cash and Cash equivalentents at the year end	2,714,345.23	12,563,164.12

## **CONCLUSION**

**The LAC was able to implement its work plan for the year 2012 under the guidance of the Chairman, Mr. S.S. Wijerante ably assisted by the Members of Commission.**

**The staff in the head office and centers carried out all the functions and duties to the satisfaction of the Commission.**